

**MINUTES OF THE CHARTER TOWNSHIP OF MUNDY
REGULAR BOARD MEETING HELD JUNE 22, 2009**

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The Regular Meeting of the Charter Township of Mundy was called to order by Supervisor D. Guigear at 7:00 P.M. SUPERVISOR D. Guigear, CLERK T. Ketzler, TREASURER J. Oskey, TRUSTEES M. Frost, B. Harrison, B. Morey and D. Owens were present. Also present was ATTORNEY J. Belzer, FIRE CHIEF T. Romans, POLICE MARSHAL J. Petres and FINANCE DIRECTOR K. Ruddy. The Pledge of Allegiance was led by Attorney J. Belzer.

APPROVAL AND CORRECTION OF MINUTES:

Motion by Treasurer J. Oskey, seconded by Trustee D. Owens to approve the Minutes of the Regular Meeting held on 6-08-09 with the following amendments:

Page 3, Paragraph 2, remove the words "sign the proposed Assessment Roll presented to the residents at the Second Public Hearing" and insert the following: execute the contract with the Genesee County Road Commission and bring the cost estimates back to the Board so they can move forward with the Lin-Hill Subdivision S.A.D.

Page 3, Paragraph 3, Line 5, change the word "yearly" to "monthly" after \$940.00.

Page 4, Paragraph 3, Line 8, insert the following words: MDA fundraiser car show.
All ayes. Motion carried unanimously.

PUBLIC COMMENTS:

Mary Sheridan, 6398 Laura Lane, spoke in reference to the pension issue for Supervisor Guigear that was discussed at the previous meeting. Mrs. Sheridan said that Attorney Belzer had indicated that by opening up this issue it could possibly cause a lawsuit against the Township. Mrs. Sheridan asked if the Supervisor has contacted an attorney and is Trustee M. Frost planning to pursue the issue.

Gerrad Godley, 7119 Windbury Lane, commented that he has been a resident of this township for the past 4.5 years and he was raised to give to his community. Mr. Godley expressed his disappointment for the lack of communication between the Township Board and the Parks and Rec Committee. Mr. Godley said he has concerns about the money that is being spent on the parking lot area during these economic times. Mr. Godley suggested that the Board be more careful about their spending and also about the way the Board is treating the volunteers. Mr. Godley said he has tried to share some of his engineering knowledge with the Board in regards to the parking lot.

ANNOUNCEMENTS:

Supervisor D. Guigear announced that the Planning Commission meeting will be held on July 8, 2009 at 7:00 P.M. and the Zoning Board of Appeals meeting will be held on June 24, 2009 at 7:00 P.M.

A. 7- 13-09 Township Board Meeting to be held at 10:00 a.m.:

Supervisor Guigear noted the meeting on 7-13-09 will be held at 10:00 a.m.

B. Debbie Honea – Ted Hu & Associates Parking Lot Presentation:

Debbie Honea of Ted Hu & Associates, 8285 S. Saginaw Rd., Grand Blanc, MI, gave a brief update concerning the parking lot improvements. Ms. Honea noted that Jeff Markston of Rowe Engineering was also present. The topics of discussion were the bidding process and the timelines involved, lighting, the site plan being SWIPPI compliant and barrier free and use as much green technology as possible. Ms. Honea said when they attended the Planning Commission meeting in May they received final approval for the improvements. There were two important changes made, which include the widening of both the west entrances and provide

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curbing along with additional signage for proper traffic flow. There will also be drain improvements on the east side and the main item that was changed is the lighting. The Board members were given a packet of pictures that reflect what the previous Board discussed last November. Ms. Honea proceeded to discuss the proposed changes and Supervisor Guigear also discussed some of the changes and offered input regarding the pictures that were presented. Supervisor Guigear commented that the Township Law News outlines the potential for Townships being sued for injuries through failure to repair or maintain a public building and we need to correct the conditions at the Township Hall and at the G.A.I.N. building. Discussion was held regarding the lighting for the parking area. Supervisor Guigear said it is his duty as the Supervisor to look after the maintenance and he believes it is important to follow through with the project. The final cost will not be known until the bids come back. Clerk T. Ketzler reported that the Planning Commission members were pleased with the proposed plans and they were very pleased with the lighting modern. Trustee B. Morey asked how much money has been invested in this project at the present time. Supervisor Guigear replied the cost so far is \$18,900.00. Trustee M. Frost asked if the bids would be brought before the Board once they are received. Ms. Honea said the bids are due to come back on 7-9-09 and she is planning to bring the bids to the Board at the 7-13-09 meeting. The labor has decreased a great deal and when the bids are brought back there will be two separate costs with Alternative #1 being the resurfacing and restriping and Alternative #2 with under slab heating. Supervisor Guigear said Marty Johnson, Building Official, believes the cracking could be eliminated with the heating. Also, Supervisor Guigear said the Board should have a letter from Mr. Zettel regarding the project.

Motion by Treasurer J. Oskey, seconded by Clerk T. Ketzler to approve Ted Hu & Associates to move forward with the bidding process for the parking lot improvements to the Township Hall. All ayes. Motion carried unanimously.

COMMITTEE REPORTS:

FIRE DEPARTMENT: Fire Chief T. Romans:

Chief T. Romans said he had nothing to report.

POLICE DEPARTMENT: Police Marshal J. Petres

A. Lifesaving Awards:

Marshal J. Petres explained that on March 23, 2009 Officer Ryan Ortiz, Officer Ryan Kirby and Office Nick Paul responded to a call of a man not breathing. Upon their arrival they found Mr. Jud Hunt unresponsive. The officers used the automatic external defibrillator and performed CPR to which the patient responded and was taken to the hospital. Mr. Hunt had suffered a major heart attack and learned that few people recover from such an incident. Marshal Petres stated that Officer Ryan Kirby is also an emergency medical physician. Marshal Petres recognized the three officers for their efforts in saving the life of Mr. Jud Hunt during a medical emergency.

Mr. Jud Hunt, 6111 Fountain View, thanked God for His grace and mercy in his life and the people's prayers who pulled him through. Mr. Hunt said he appreciates the efforts made by the officers and it is great to see this award being given to them. Mr. Hunt said he is thankful to Mundy Township for the AED machine and the investment that was made, because without it, Mr. Hunt said he would not be standing here today.

Marshal Petres said the AED machines are in many buildings and it is wonderful that people take the CPR classes and learn about the AED machines. Minutes and seconds can make a huge difference in saving a life.

Dr. Kirby commented that Mr. Hunt is an anomaly as only 5% or less of people who suffer such a heart attack survive. Dr. Kirby thanked the Township Board for having the foresight to purchase the AED's and train the officers in the equipment. Supervisor D. Guigear thanked the

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officers and thanked Mr. Hunt for coming out to the meeting. The Board recessed at 7:42 p.m. and reconvened at 7:48 p.m.

B. Communications Received:

Marshal Petres said letters were received from the students at the Genesee Area Skill Center Forensic Science II course.

C. Monthly Report – March:

Marshal Petres said the Board has a copy of the Monthly Report. Marshal Petres said Carolyn Kennedy donated time throughout the years with the Skill Center. The Board recognized this achievement.

FINANCE DEPARTMENT: Karen Ruddy, Financial Director:

Karen Ruddy, Finance Director, said the Board has the May Financial Reports and the Investment Reports are in the Board's packet.

ATTORNEY: J. Belzer

Attorney J. Belzer had nothing to report.

TOWNSHIP COMMUNICATIONS:

Supervisor D. Guigear read thank you letters from Rowe, Inc., Kraft Engineering & Surveying and Gould Engineering for being allowed to service the Township with their professional engineering services.

Supervisor Guigear said he will provide the Board and the Attorney with a resolution as to how to deal with the three engineering firms. Supervisor Guigear asked that the Board and Attorney review the resolution.

Supervisor Guigear said he attended a Water & Waste meeting and the information is in the Board packet. There is a letter regarding a meeting to be held on 6-25-09 at 2:00 p.m. regarding the waterline that is being proposed from Lake Huron.

SUPERVISOR: D. Guigear:

A. NextG Works Permit:

Supervisor Guigear said he received a memo from Christopher Sinclair regarding the transfer of the control for the right-of-way telecommunications permit. Other entities pay a fee and they pay through the Metro Authority and they applied through the county. Supervisor Guigear said he is asking the Board to approve him to sign the document for NextG to use the right-of-way from the Township.

Motion by Clerk T. Ketzler, seconded by Treasurer J. Oskey to approve to allow Supervisor D. Guigear to sign the document for NextG Networks to use the right-of-way from Mundy Township. All ayes. Motion carried unanimously.

B. Furniture Quote – Files & Reconfiguration:

Supervisor Guigear said the Clerk and Supervisor are looking for fireproof files and want to have a central filing system rather than individual offices. Clerk Ketzler is requesting six filing cabinets with fire rated capacity. We received a bid from American Interiors and we also found additional cabinets at half the price from the Citizens Bank building. Supervisor Guigear gave

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further details regarding the purchase of the filing cabinets and said the Township could purchase four filing cabinets in the amount of \$4,561.00. However, a total of six filing cabinets is needed. Clerk Ketzler said she is finding files in different offices but they should be kept in one place. The Clerk said the Supervisor is head of personnel and she is responsible for all forms. The plan is to reorganize and put the records in one area of the Township. Also, the person who is in charge of the payroll is at a counter and she should be in a private area due to some of the private information she handles. When the Supervisor and Treasurer suggested that she be moved Clerk Ketzler said she agreed wholeheartedly. Board discussion followed regarding where the files would be placed and whether the money is in the budget for this purchase. Karen Ruddy gave a brief explanation as to the funds that are available for the purchase of the filing cabinets.

Motion by Treasurer J. Oskey, seconded by Trustee D. Owens to approve the purchase of four fireproof filing cabinets in the amount of \$4,561.00. All ayes. Motion carried unanimously.

Trustee M. Frost asked if the bookkeeper is being relocated. Supervisor Guigear said yes, she is being relocated to the small conference room. Trustee Frost said he was happy to hear about the move.

C. Use of Meeting Room – Sleepy Hollow:

Supervisor Guigear said he is asking the Board to allow the residents of Sleepy Hollow to use the meeting room for an Association meeting. The supervisor said he is working on some language that the clerk gave him, but until that is worked out he is asking to allow the association to use the meeting room. Trustee B. Morey asked for input from the attorney. Attorney Belzer suggested that the Board have some perimeters set up as there are currently no contracts or standards in place. Attorney Belzer said he would not be in favor of the Board allowing any organization to use the meeting room unless there are guidelines in place. Treasurer J. Oskey asked if Attorney Belzer is prepared to draft some guidelines. Supervisor Guigear said he concurs with the Attorney and he could bring this issue back to the Board after the guidelines are in place as the Association doesn't want to use the room until sometime in November.

Supervisor Guigear said the Board has a copy of the field work being done by the Assessor's Office as well as a monthly inspection report from the Building Department.

CLERK: T. Ketzler:

Clerk Ketzler said she had nothing to report.

TREASURER: J. Oskey:

A. Tax Reverted Property:

Treasurer J. Oskey said there is one parcel on Circle Lake Drive available for \$13,000.00 and two other parcels that might become available. If the Township decides to purchase the 7.1 acres it is supposed to be for a public purpose. If we don't purchase the property it will be going to the land bank. Supervisor D. Guigear said the Township has to make a commitment by the first Tuesday in July. The property is seven acres on a small lake, being Case Lake, off of Cook Road. Supervisor Guigear asked what the requirements would be from the Planning Commission. Attorney Belzer replied that the information would have to go through the Planning Commission process and we will have to find out what the deed restrictions might be. We need to have a title search to get whatever information is available. Supervisor Guigear said the Board should look at the viability of the property as this is a property with an appraised SEV of \$209,400.00. We don't know if it would be viable to put a park in this area. A lengthy discussion was held by the Board regarding the property located at 9150 Circle Lake Drive. Supervisor Guigear asked that the Board allow Attorney Belzer to look at the deed restrictions and obtain as much information as possible regarding the property. Treasurer Oskey suggested that the Board members look at the property.

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Motion by Clerk T. Ketzler, seconded by Trustee D. Owens to approve Attorney J. Belzer to review the deed restrictions and other available issues regarding the property located at 9150 Circle Lake Drive. All ayes. Motion carried unanimously.

TRUSTEES:

Trustee B. Morey complimented the Fire Department on the job they did with the Crystal Lake fire. Also, Mr. Morey complimented the landscaping that was done at Fire Station #1.

BOARD MEMBERS CONCERNS:

Trustee M. Frost stated that he was told that he was picking on Supervisor Guigear at the last meeting regarding his Mundy Township Pension Plan. Trustee Frost asked Attorney Belzer about the fiduciary responsibility of the Township Board to oversee the pension plan. Trustee Frost asked that the Board reconsider the vote for having a non-fiduciary person as a Trustee over the Mundy Township Pension Plan. Attorney J. Belzer said Trustee Frost is talking about a contact person for the pension plan, being Karen Ruddy, Finance Director. Trustee Frost said there were two trustees appointed and he believes it should be one of the elected officials that oversees the plan. Attorney Belzer said that Mr. Frost's thoughts are not misplaced, but that individual has no voting rights. The Township has grown and we now have a Financial Director who is a CPA and it is not uncommon to have the Finance Director in this position. There is nothing wrong with Karen Ruddy being appointed as one of the Trustees of the pension plan. Board discussion followed and no further action was taken.

PUBLIC COMMENTS:

Mike Taylor, 4445 W. Cook Rd., said all of the Park and Rec equipment was returned to the Police Chief last Friday. Mr. Taylor spoke of Treasurer Oskey and Trustee Owens slandering his name and he read a letter that was sent to him from Supervisor Guigear prior to the election last fall.

Motion by D. Guigear, seconded by Clerk T. Ketzler to approve of the Board to move into executive session for the purpose of discussion of Fire Department labor negotiations. All ayes. Motion carried unanimously.

The Board returned from the executive session at 9:03 p.m. and Supervisor Guigear announced that no decisions were made during the executive session.

Motion by Treasurer J. Oskey, seconded by Trustee B. Harrison to approve the ratification of the Fire Department contract as written with an effective date of 6-23-09. Motion carried 6-1 with BM voting no.

Trustee B. Morey said he would have liked to have more time to review the contract.

ACCOUNTS PAYABLE:

Motion by Treasurer J. Oskey, seconded by Clerk T. Ketzler to pay all invoices totaling \$395,241.54 Checks #54317 thru #54360 the General Fund-Total \$33,860.00 and Payroll DD #2853 thru DD#2910 and Checks #15522 thru Check #15534 and EFT #260 thru EFT #266 - \$87,641.62 and Checks #1886 thru #1887 the Sewer-Total \$273,739.92 was issued. Checks dated prior to 06-22-2009 shall be post audited per Resolution 08-12. All ayes. Motion carried unanimously.

REGULAR BOARD MEETING HELD JUNE 8, 2009

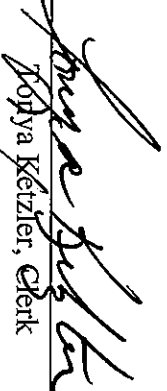
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Motion by Treasurer J. Oskey, seconded by Clerk T. Ketzler to adjourn the meeting. All ayes.
Motion carried unanimously.

Meeting adjourned at 9:08 P.M.

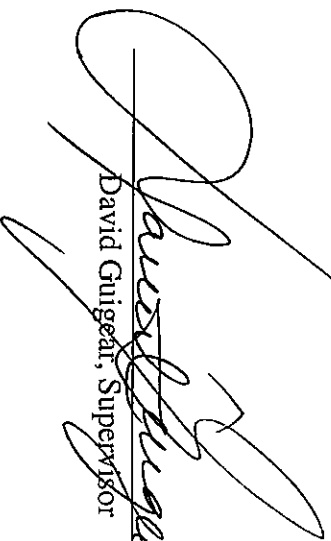
Respectfully Submitted,

7-27-09
Dated
TK/cml


Todya Ketzler, Clerk

Approved:

7-27-09
Dated
DLG/cml


David Guigear, Supervisor

These minutes were prepared by Cheryl M. Ladd, CMC, for Mundy Township.

7-27-09
Dated


Cheryl M. Ladd, CMC, Recording Secretary